



UNITED STATES PATENT AND TRADEMARK OFFICE

13 FEB 2006

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

Charles A. Muserlian
Hedman & Costigan, P.C.
Hedman & Costigan, P.C.
1185 Avenue of Americas
New York, NY 10036

In re Application of :
Engelhardt, et al. :
Application No.: 10/532,779 : DECISION
PCT No.: PCT/EP03/11343 :
Int. Filing Date: 14 October 2003 :
Priority Date: 24 October 2002 :
Attorney's Docket No.: 188.574 :
For: CAM FOLLOWER FOR A VALVE GEAR IN :
AN INTERNAL COMBUSTION ENGINE :

This decision is in response to applicant's response filed on 30 September 2005. No petition fee is due.

BACKGROUND

On 14 October 2003, applicants filed international application PCT/EP03/11343 that claimed priority of an earlier German application filed 24 October 2002. A copy of the international application was communicated to the United States Patent and Trademark Office from the International Bureau on 06 May 2004. The thirty-month period for paying the basic national fee for the national stage in the United States expired at midnight on 24 April 2005.

On 22 April 2005, applicants filed a letter for entry into the national stage in the United States which was accompanied by, *inter alia*, a copy of the international application, the search fee (\$500), the examination fee (\$200) and the basic national fee of \$300 as required by 35 U.S.C. 371(c). These papers were assigned application number 10/532,779.

On 12 August 2005, applicant filed a petition under 37 CFR 1.47(a), along with a declaration signed by inventors Engelhardt and Kecker and an affidavit by Matthias Becker.

On 30 September 2005, applicant filed a declaration that included the signatures of all three applicants.

On 03 October 2005, prior to the 30 September 2005 submission by applicant being matched with the application, a decision was mailed indicating that applicant had not provided the missing inventor Michel's last known address.

DISCUSSION

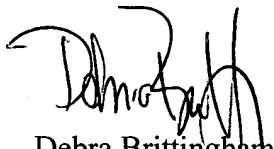
In light of the fact that applicant has provided the signatures of all three applicants, the petition under 37 CFR 1.47(a) is now deemed moot.

CONCLUSION

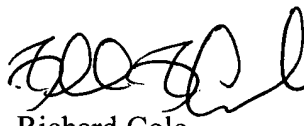
The petition under 35 U.S.C. 1.47(a) is **deemed MOOT**.

The 03 October 2005 decision is hereby **VACATED**.

This application is being forwarded to the national stage office for preparation of a "NOTIFICATION OF ACCEPTANCE OF APPLICATION UNDER 35 U.S.C. 371 AND 37 CFR 1.494 OR 1.495" (Form PCT/DO/EO/903) showing a 35 U.S.C. 371 date of **30 September 2005**.



Debra Brittingham
PCT Special Programs Examiner
Office of PCT Legal Administration



Richard Cole
PCT Legal Examiner
Office of PCT Legal Administration

Tel: (571) 272-3280
Fax: (571) 273-0459